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June 9, 2006

Mary L. Cottrell, Secretary
Department of Telecommunications and Energy
One South Station
Boston, MA 02110

Re: Bay State Gas Company, D.T.E. 06-31

Dear Ms. Cottrell:

With this letter, Bay State Gas Company ("Bay State") responds to the procedural schedules proposed by of the Utility Workers Union of America ("Local 273") and the United Steelworkers Union of America ("Steelworkers"). As a result of the comments from the Unions, Bay State has revised its proposed schedule to be very close to that proposed by the Unions.

Bay State has two primary concerns with the schedules proposed by Local 273 and the Steelworkers in their letters to the Department.

1. Date for filing intervenor testimony

The date for filing intervenor testimony proposed by the Unions, August 18, does not provide Bay State sufficient time to issue discovery and receive responses by the date hearings would begin during the week of September 11. Local 273 recognizes this in proposing that the deadline for intervenor responses to Bay State discovery be September 15, at the end of the first week of hearings. After intervenor testimony is filed, Bay State will require time to issue discovery, receive responses and follow-up with additional discovery, if necessary. In contrast, the intervenors have been provided time for two full rounds of discovery. Therefore, Bay State suggests that the date for filing intervenor testimony, and the final due date for all Bay State discovery responses, be August 11 rather than August 18, as proposed by the Unions. That in turn would require leaving the date when all intervenor discovery questions are due at July 21, rather than July 28 as suggested the Steelworkers and endorsed by Local 273.


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2. Briefing Schedule

The briefing schedule should be staggered, with the intervenors filing the first round of briefs, and not simultaneous. This was the procedure followed in Bay State's rate case proceeding, D.T.E. 05-27. In addition, Bay State has already filed a Petition and testimony of its President, Mr. Bryant. An initial brief of Bay State filed before reviewing any of the intervenor briefs would likely be a repetition of what is already contained in the Petition and its direct testimony. A staggered briefing schedule provides all parties with more time between briefs to review the record and analyze the positions of other parties and thereby improve their reply briefs. Given the large number of parties likely to file briefs in this proceeding (three full parties and four limited participants), a staggered briefing schedule will allow Bay State an opportunity to better address the number and scope of issues likely to be raised by the other parties in their briefs. A staggered briefing schedule will improve the record of the proceeding and result in more helpful briefs for the Department to consider in issuing its decision in this case.

Enclosed is Bay State's revised proposed procedural schedule.

Very truly yours,



Robert L. Dewees, Jr.

RLD/tlm
Enclosure

cc: Caroline Bulger
John Cope Flanagan
Nicole Horberg Decter
Charles Harak
Gary Epler
Kevin F. Penders
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James M. Avery
Jamie Tosches
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Bay State's Revised Proposed Procedural Schedule – June 9, 2006

1 st Round of Intervenor discovery due	June 23
Notice of intent from Intervenor to file a direct case, and description of the scope of witness testimony	June 30
2 nd and final round of Intervenor discovery due	July 21
Bay State's responses to discovery	Within 10 working days
All Bay State responses to discovery due	August 11
If Intervenor file a direct case – testimony is due	August 11
If Intervenor file a direct case – Bay State discovery due	As soon as possible
Intervenor responses to Bay State discovery	Within 10 working days
Hearings:	Week of September 11
	Week of September 18
Hearings concluded	By September 21
Briefs:	
Intervenor Initial Briefs due	October 11
Bay State Initial Brief due	October 25
Intervenor Reply Briefs	November 1
Bay State Reply Brief	November 6